

"Express Mail" mailing label number EV 683 828 902 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
IXIO125417		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
10/538,527		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/JP02/12943	11 December 2002	11 December 2002
TITLE OF INVENTION		
COMMUNICATION SYSTEM, COMMUNICATION TERMINAL COMPRISING VIRTUAL NETWORK SWITCH AND PORTABLE ELECTRONIC DEVICE COMPRISING ORGANISM RECOGNITION UNIT		
APPLICANT(S) FOR DO/EO/US		
Shunichi OSHIMA, Hikaru SAITO, Tomoaki NARAHARA, Shogo NAKAZATO, Haruhiro KIKKAWA, Takeshi OGI		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- 4. The US has been elected (Article 31).
- 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. is attached hereto (required only if not communicated by the International Bureau).
  - b. has been communicated by the International Bureau.
  - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>LLC</sup>  
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- 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. are attached hereto (required only if not communicated by the International Bureau).
  - b. have been communicated by the International Bureau.
  - c. have not been made; however, the time limit for making such amendments has NOT expired.
  - d. have not been made and will not be made.
- 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. An oath or declaration of the inventors (35 U.S.C. 371(c)(4)) (separately signed copies totaling 16 pages).
- 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- 13. A preliminary amendment.
- 14. An Application Data Sheet under 37 C.F.R. 1.76.
- 15. A substitute specification.
- 16. A power of attorney and/or change of address letter.
- 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 C.F.R. 1.821 – 1.825 is transmitted herewith in printed and computer-readable formats. The paper and computer-readable copies of the sequence listing are the same and do not contain new matter. Entry of the sequence listing into the application is requested. The paper copy comprises        additional pages.
- 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- 20. Other items or information:
  - a. Copy of Notification of Missing Requirements

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The following fees are submitted:				<b>CALCULATIONS</b>	
21. a) Basic national fee ..... \$300				\$	
22. b) Examination fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0.00				\$	
All other situations ..... \$200.00					
23. c) Search fee If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .... \$400.00 All other situations ..... \$500.00				\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		Rate	
- 100 =	/50=			x \$250	\$
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		- 20 =		x \$50	\$
Independent claims		- 3 =		x \$200	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130	
X Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$65	
				<b>SUBTOTAL =</b> \$65	
Processing fee of \$130 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
				<b>TOTAL NATIONAL FEE =</b> \$65	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property.				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$65	
04/03/2006 LLANDGRA 00000054 10538527				Amount to be refunded:	\$
01 FC:2617 65.00 OP				Amount to be charged:	\$

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X a. Check No. 169717 in the amount of \$ 65.00 to cover the above fees is enclosed.

X b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

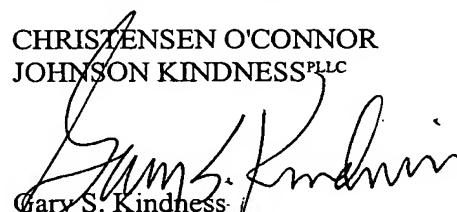
SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Gary S. Kindness  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

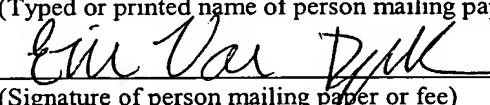
  
Gary S. Kindness  
Registration No. 22,178  
Direct Dial No. 206.695.1702

**EXPRESS MAIL CERTIFICATE**

Express Mail No.: EV 683 282 902 US

Date of Deposit: March 28, 2006

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Erin Van Dyck  
(Typed or printed name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)

GSK:aew

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,527	Shunichi Oshima	IXIO125417

INTERNATIONAL APPLICATION NO.

PCT/JP02/12943

I.A. FILING DATE	PRIORITY DATE
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12/11/2002

26389  
 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC  
 1420 FIFTH AVENUE  
 SUITE 2800  
 SEATTLE, WA 98101-2347

CONFIRMATION NO. 3698

371 FORMALITIES LETTER



\*OC000000017922365\*

DOCKETED

Date Mailed: 02/01/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/10/2005
- English Translation of the IA filed on 06/10/2005
- Copy of the International Search Report filed on 06/10/2005
- Preliminary Amendments filed on 06/10/2005
- Request for Immediate Examination filed on 06/10/2005
- U.S. Basic National Fees filed on 06/10/2005
- Substitute Specification filed on 06/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

PROCESSED  
DOCKETING

FEB 03 2006

CMC

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS PLLC

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,527	PCT/JP02/12943	IXIO125417

FORM PCT/DO/EO/905 (371 Formalities Notice)